सत्यमेव जयते

राजस्थान राजपत्र विशेषांक	RAJASTHAN GAZETTE Extraordinary
साधिकार प्रकाशित	Published by Authority

भाद्र 31, बुधवार, शाके 1943-सितम्बर 22, 2021

Bhadra 31, Wednesday, Saka 1943- September 22, 2021

भाग 4 (ग)

उप-खण्ड (I)

राज्य सरकार तथा अन्य राज्य-प्राधिकारियों द्वारा जारी किये गये (सामान्य आदेशों, उप-विधियों आदि को सम्मिलित करते हुए) सामान्य कानूनी नियम।

Local Self Government Department

NOTIFICATION

Jaipur, September 20, 2021

G.S.R.338 .-In exercise of the powers conferred by section 69-A read with section 337 of the Rajasthan Municipalities Act, 2009 (Act No. 18 of 2009), the State Government hereby makes the following rules further to amend the Rajasthan Municipalities (Surrender of Non-Agricultural Land and Grant of Freehold Lease) Rules, 2015, namely:-

1. Short title and commencement.- (1) These rules may be called the Rajasthan Municipalities (Surrender of Non-Agricultural Land and Grant of Freehold Lease) (Amendment) Rules, 2021.

(2) They shall come into force on and from the date of their publication in the Official Gazette.

2. Amendment of rule 2.- In sub-rule (1) of rule 2 of the Rajasthan Municipalities (Surrender of Non-Agricultural Land and Grant of Freehold Lease) Rules, 2015, hereinafter referred to as the said rules, the existing clause (f) shall be substituted by the following, namely:-

"(f) "Lease" means a free-hold lease-deed executed by the Municipality for grant of the free hold rights in perpetuity.".

3. Amendment of rule 3.- In rule 3 of the said rules,-

(i) the existing expression "(1)" appearing between the expression "Restriction.-" and "No permission" shall be deleted;

(ii) the existing clause (iii) shall be substituted by the following, namely:-

"(iii) Land falling within limits prescribed for any archaeological site/ monument by any order of the Court, Archaeological survey of India and Archaeological Department, Rajasthan;"

(iii) the existing clause (v) and (vi) shall be deleted;

(iv) the existing clause (vii) shall be substituted by the following, namely:-

"(vii) Land belongs to or vests in the Central Government or State Government or statuary or non statutory bodies, authorities or companies established by or under control of the Central Government or State Government, as the case may be, except land vests in the Municipality."; and

(v) after the existing clause (viii), the following note shall be added, namely:-

"Note: (a) In respect of land falling in the restricted belt or belonging to any oil storage depot, gas godown, petrol pump or any other explosive storage

depot, patta will be issued for the existing site/structure but no permission for any new construction shall be given on such land.

(b) In respect of land falling under the Urban Land (Ceiling and Regulation) Act, 1976, permission will be given with approval of the State Government."

4. Amendment of rule 4.- The existing sub-rule (1) of rule 4 of the said rules shall be substituted by the following, namely:-

"(1) Application for surrender of rights in favour of Municipality in respect of land specified in section 69-A of the Act, situated in Municipal area, shall be submitted by the person who holds such land to the Authorized Officers in Form-1 along with,-

(i) an affidavit in Form-2, and an Indemnity Bond in Form-3;

(ii) receipt of the payment of application fee as may be determined by the Government, from time to time; and

(iii) duly attested document of proof of rights, as may be determined by the Government, in respects of land surrendered along with site plan of surrendered land showing constructed area of building (kachcha/pucca) with number of floors and photograph of the building and neighbourhood."

5. Amendment of rule 6.- (1) In rule 6 of the said rules,-

(i) in sub-rule (2), for the existing expression "fifteen days", the expression "seven days" shall be substituted;

(ii) the existing sub-rule (4) shall be substituted by the following, namely:–

"(4) The authorised officer shall before accepting the surrender of land and granting the permission in Form-6 shall obtain approval of the Chairperson of the Municipality or any other authority or afficer authorised by the State Government; and

(iii) in sub-rule (5), for the existing expression "15 days", the expression "7 days" shall be substitute.

6. Substitution of rule 7.- The existing rule 7 of the said rules shall be substituted by the following, namely:-

"**7 Approval of site plan.-** After grant of permission under rule 6, the site plan shall be prepared and issued to the applicant along with the free hold lease deed. The site plan, so prepared, shall be signed by the Chief Municipal Officer of the Municipality or any other officer authorised by the State Government."

7. Substitution of rule 8.- The existing rule 8 of the said rules shall be substituted by the following, namely:–

"**8. Charges.-** (1) The applicant shall pay such amount of charges as may be determined by the State Government, from time to time. The applicant shall along with his application submit the proof of deposit of amount of charges self assessed by him.

(2) In case of any short fall, in the amount deposited by the applicant on the basis of self assessment, he shall deposit the balance amount of charges within 30 days of the demand raised by the Municipality or within such period as may be determined by the State Government."

8. Substitution of rule 9.- The existing rule 9 of the said rules shall be substituted by the following, namely:-

"**9 Free hold lease deed.-** After grant of permission under rule 6 and deposition of charges under rule 8, free hold lease deed shall be executed by the Chief Municipal Officer and Chairperson or any other officer authorised by the State Government in favour of person to whom permission is granted under rule 6 or in favour of his successors, assignees or transferees, as the case may be."

9. Substitution of rule 11.- The existing rule 11 of the said rules shall be substituted by the following, namely:-

"**11. Documentary evidence.-** For every freehold lease granted under these rules a document evidencing the same shall be in such form as may be specified by the State Government, from time to time, which shall be signed by the Chairperson and Chief Municipal Officer of the Municipality, or any other officer authorised by the State Government, from time to time and shall be duly stamped and registered at the expense of the lessee."

10. Amendment of rule 17.- In rule 17 of the said rules, after the existing expression “operation of these rules causes hardship” and before the existing expression "in any particular case or class of the cases", the expression "regarding to the procedure or proof of rights or terms of the free hold lease deed" shall be inserted.

11. **Deletion of Form-7.-** The existing Form-7 appended to the said rules shall be deleted.

[No:F.8(G)( )Rules/DLB/21/66739]
By order of the Governor,
Deepak Nandi,
Director cum Special Secretary to the Government.

राज्य केन्द्रीय मुद्रणालय,जयपुर।